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6 Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 PHOEUN PHANG,

10 Plaintiff

11 v.

12 ANDREW M. SAUL,

13 Commissioner of Social Security,

14 Defendant
15

Case No. 2:20-CV-00586-WBS-DMC

16 **STIPULATION AND**
17 **ORDER FOR AWARD OF ATTORNEY'S**
18 **FEES UNDER THE EQUAL ACCESS TO**
19 **JUSTICE ACT (EAJA)**

20 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
21 subject to the approval of the Court, that Plaintiff shall be awarded attorney's fees under the Equal
22 Access to Justice Act (EAJA), 28 U.S.C. sec. 2412(d), in the amount of FOUR THOUSAND SEVEN
23 HUNDRED AND SIXTEEN dollars and SIXTY-ONE cents (\$4,716.61). This amount represents
24 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this
25 civil action, in accordance with 28 U.S.C. sec. 2412(d).

26 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the
27 matter of Plaintiff's assignment of EAJA fees to Jacqueline A. Forslund (Counsel). Pursuant
28 to *Astrue v. Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on
whether the fees are subject to any offset allowed under the United States Department of the
Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine
whether they are subject to any offset. Fees shall be made payable to Plaintiff, but if the Department
of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause

the payment of fees, expenses and costs to be made directly to Counsel, pursuant to the assignment executed by Plaintiff. Any payments made shall be delivered to Counsel.

The parties agree that whether these checks are made payable to Plaintiff or Jacqueline A. Forslund, such checks shall be mailed to Jacqueline A. Forslund. This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or Plaintiff's Counsel may have relating to EAJA attorney fees in connection with this action.

Respectfully submitted,

Date: March 10, 2021

JACQUELINE A. FORSLUND
Attorney at Law

/s/Jacqueline A. Forslund
JACQUELINE A. FORSLUND
Attorney for Plaintiff

Date: March 10, 2021

MCGREGOR W. SCOTT
United States Attorney
DEBORAH STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

/s/Chantal Jenkins
CHANTAL JENKINS
Special Assistant United States Attorney
*By email authorization
Attorney for Defendant

ORDER

APPROVED AND SO ORDERED

Dated: March 11, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE